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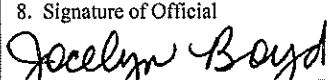
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Agency Name Public Service Commission	1. Chapter Number 103	2. Date of Filing September 12, 2008
3. Regulation Number 103-133(7)	3. Subject of Regulation Stretcher Vans	
5. Statutory Authority S.C. Code Ann. Section 58-3-140		

6. Type of Filing

- ☐ NOTICE OF GENERAL PUBLIC INTEREST
- ☐ NOTICE OF DRAFTING
- ☒ PROPOSED REGULATION
- ☐ EMERGENCY REGULATION
- ☐ FINAL REGULATION FOR GENERAL ASSEMBLY REVIEW
- ☐ RESUBMISSION OF WITHDRAWN REGULATION FOR GENERAL ASSEMBLY REVIEW
- ☐ FINAL REGULATION EXEMPT FROM GENERAL ASSEMBLY REVIEW

5. For Additional Information, Contact Jocelyn Boyd or David Butler		6. Telephone Number 896-5100
7. Typed Name of Official Jocelyn Boyd	8. Signature of Official 	9. Date September 11, 2008

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PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA
CHAPTER 103
Statutory Authority: 1976 Code Section 58-3-140 (Supp. 2007)

103-133(7). PC&N (Stretcher Vans).

Preamble:

The Public Service Commission of South Carolina (Commission) proposes to create new regulations governing stretcher vans. The proposed regulation was previously published in the State Register on April 25, 2008, and the Commission held a public hearing regarding the proposed regulation on Wednesday, June 25, 2008. On August 27, 2008, the Commission voted to retain jurisdiction of the proposed stretcher van regulation at the Commission for further consideration and to reopen the written comment period, giving the public until October 31, 2008, to file written comments on the proposed regulation.

Section-by-Section Discussion

103-133(7). PC&N (Stretcher Vans). This is a new regulation defining stretcher vans and governing driver and assistant driver qualifications/requirements, vehicle requirements, and limitations and conditions of service.

Notice of Opportunity for Public Comment:

Interested persons may submit written comments to the Public Service Commission, Docketing Department, 101 Executive Center Drive, Columbia, South Carolina 29210. Please reference Docket Number 2007-445-A. To be considered, comments must be received no later than 4:45 p.m. on October 31, 2008.

Preliminary Fiscal Impact Statement:

There will be no increased costs to the State or its political subdivisions.

Statement of Need and Reasonableness:

This statement of need and reasonableness was determined pursuant to S.C. Code Ann. Section 1-23-115(C)(1) through (3) and (9) through (11).

DESCRIPTION OF REGULATION:

26 S.C. Code Ann. Regs. 103-133(7). PC&N (Stretcher Vans).

Purpose: The purpose of the proposed regulation governing stretcher vans is to govern non-emergency transportation provided to a person who cannot be transported in a taxi or wheelchair van due to convalescence or being non-ambulatory. The additional provisions of this regulation state driver qualifications/requirements, vehicle requirements and the limitations and conditions of service by stretcher vans.

Legal Authority: S.C. Code Ann. Section 58-3-140 (Supp. 2007)

Plan for Implementation: The proposed regulation will take effect upon approval by the General Assembly and publication in the *State Register*.

DETERMINATION OF NEED AND REASONABLENESS OF THE PROPOSED REGULATION BASED ON ALL FACTORS HEREIN AND EXPECTED BENEFITS:

The addition of a regulation governing stretcher vans is necessary because the regulation defines a stretcher van and the scope of its operation. Further, the regulation will provide guidance to operators/owners of stretcher vans regarding driver and assistant driver qualifications, vehicle requirements, and limitations and conditions of service of stretcher vans. The benefits of a regulation governing the operation of stretcher vans include oversight of public welfare and safety.

DETERMINATION OF COSTS AND BENEFITS:

Although costs related to creating Regulation 103-133(7) are minimal, the benefits include the promulgation of regulations that govern current unregulated services for a mode of transportation for persons who cannot be transported in a taxi or wheelchair van due to convalescence or being non-ambulatory.

UNCERTAINTIES OF ESTIMATES:

None.

EFFECT ON ENVIRONMENT AND PUBLIC HEALTH:

None.

DETRIMENTAL EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH IF THE REGULATION IS NOT IMPLEMENTED:

The regulation will have no detrimental effect on the environment or public health if the regulation is not implemented.

STATEMENT OF RATIONALE:

The purpose of 26 S.C. Code Ann. Regs. 103-133(7) is to create a regulation that governs stretcher vans. This regulation is needed to provide guidelines for non-emergency transportation for individuals who cannot be transported in a taxi or wheelchair van due to convalescence or being non-ambulatory. The proposed regulation provides vehicle, driver and assistant driver qualifications and further provides for limitations and conditions of service. There was no scientific or technical basis relied upon in the development of this regulation.

Text:

103-133(7) PC&N (Stretcher Vans).

Stretcher van service is a mode of non-emergency transportation which may be provided to an individual who cannot be transported in a taxi or wheelchair van due to convalescence or being non-ambulatory. Stretcher vans are not required or authorized to provide medical monitoring, medical aid, medical care or medical treatment of passengers during their transport. Self-administered oxygen is permitted. In addition to meeting the requirements set out in 103-133(4) and 103-133(6) above, applicants for a Certificate of Public Convenience and Necessity for stretcher van vehicles must meet the following requirements:

A. Driver and Assistant Driver Qualifications/Requirements

1. While providing transportation for hire, all stretcher vans shall be staffed by both a primary and an assistant driver. In addition to the general requirements provided for in 103-133(6) (A),

stretcher van drivers and driver assistants shall be trained in transferring, loading and unloading passengers in stretchers.

2. A stretcher van passenger shall not be left unattended at any time.
3. The driver and driver assistant shall confirm that all restraining straps are fastened properly and the stretcher, stretcher fasteners and anchorages are properly secured prior to the vehicle transporting a passenger.
4. The driver assistant shall be seated in the passenger compartment while the vehicle is in motion and shall notify the driver of any sudden change in the passenger's condition.

B. Vehicle Requirements

1. The stretcher van must be equipped with a stretcher used to transport individuals in the supine or Fowler's position.
2. Passengers shall be loaded headfirst.
3. The approved stretcher shall be elevating and wheeled. A minimum of three (3) patient restraining straps (chest, waist, and thigh) at least two (2) inches wide shall be provided. The stretcher van shall have proper means to secure the stretcher in its position under all conditions. Crash-stable stretcher fasteners must be provided.
4. A stretcher van vehicle must be maintained in good repair and safe operating condition and shall meet the same motor vehicle safety requirements as apply to all vehicles in South Carolina. Exterior surfaces of the vehicle including windows, mirrors, warning devices and lights must be undamaged and kept clean of dirt and debris.
5. Safety belts must be provided for all passengers.
6. Self-administered oxygen must be secured in accordance with AMD (Ambulance Manufacturers Division of the National Truck Equipment Association) Standard 003, "Oxygen Tank Retention System Test."
7. The interior of the stretcher van vehicle shall include secured storage compartments.
8. All storage compartments, supplies and equipment shall be kept clean and sanitary.
9. A stretcher van shall not contain medical equipment or supplies or display any marking, symbols or warning devices that imply that it offers medical care or ambulance transportation.
10. A stretcher van shall not respond or transport a person if the request for service originated within a public dispatch system.

C. Limitations and Conditions of Service

1. Stretcher van vehicles shall not be used:
 - a. To transport a passenger who requires medical monitoring.
 - b. To transport more than one (1) stretcher passenger at a time.
 - c. To transport a person who is being administered intravenous fluids.
 - d. To transport a person who needs or may need oxygen unless that person's physician has prescribed oxygen as a self-administered therapy.
 - e. To transport a passenger who needs or may need suctioning.
 - f. To transport a passenger who has sustained an injury and has not yet been evaluated by a physician.
 - g. To transport a passenger who is experiencing an acute condition or the exacerbation of a chronic condition or a sudden injury or illness.
 - h. To transport a passenger who needs to be transported from one hospital to another hospital if the destination hospital is the same level or a higher level as the hospital of origin.
 - i. To transport a passenger who is being evaluated in an emergency room and for any reason must be transported to another hospital for diagnostic tests that are not available at the first hospital.

2. When the medical condition of a passenger suddenly changes and requires care to be rendered, the operator of the stretcher van will immediately contact the local 911 dispatcher to request help, then notify their own base of operations to advise them of the situation. Appropriate basic first aid shall be initiated and continued until the EMS service has intercepted the transport or arrival at the hospital.